

REMARKS

This Response is submitted in response to the Office Action mailed on December 19, 2006. In the Office Action, Applicants are required to elect between five alleged groups of invention. Because the claims overlap, Applicants submit that this appears to be more than a restriction requirement, but also an election of species requirement. In this regard, with respect to Groups I and II, each of Claims 1-10 and 25-30 are set forth. However, the Patent Office distinguishes the two groups by stating for Group I the claims are "drawn to a lactic acid bacterial culture and a carotenoid," and for Group II is "drawn to a supernatant of a lactic bacteria culture and a carotenoid." Regardless, Applicants elect, without traverse, Group I. Applicants reserve the right to file one or more divisional applications to the non-elected claims.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

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BY

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